



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/480,472	06/06/95	MCDONOUGH	S 213/066

RICHARD J WARBURG
LYON AND LYON
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES CA 90071

18M2/1022

EXAMINER	
TRAN, P	
ART UNIT	PAPER NUMBER
1807	

DATE MAILED: 10/22/96

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Interview Summary

Application No.

08/480,472

Applicant(s)

McDONOUGH ET AL.

Examiner

PAUL B. TRAN

Group Art Unit

1807



All participants (applicant, applicant's representative, PTO personnel):

(1) PAUL B. TRAN

(3) _____

(2) ANTHONY C. CHEN

(4) _____

Date of Interview Oct 18, 1996Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:Agreement ☐ was reached. ☒ was not reached.Claim(s) discussed: 24-42 and 48-99

Identification of prior art discussed:

Rogal et al., Normand et al. and Schuster et al.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant pointed out that the Preliminary Amendment, Paper No. 7.5, filed June 28, 1996, has not been entered and thus new claims 57-99 disclosed therein have not been examined in the Office action mailed July 10, 1996. Applicant therefore requested that the examination of the new claims should not result in a Final Office action when the Amendment filed in response to the Office action is considered. Regarding the 112/2 rejection set forth in paragraph 2, Applicant is considering amending the objected language to "comprising." Regarding the 112/1 scope rejection set forth in paragraph 3, Applicant is considering limiting the claims accordingly. Regarding 103 rejections set forth in paragraphs 6 and 7, Applicant traverses that the prior art does not suggest the claimed sequence because the Rogal et al. only teaches a larger 16S rRNA sequence.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.